

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

----- x

This document relates to the following case:

City of New York, et. al. v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

----- x

**FIRST SUPPLEMENT TO PLAINTIFFS' TRIAL EXHIBIT
LISTS REGARDING TSCA**

Plaintiffs filed their initial trial exhibit lists in April 2009 and June 2009. *See* Case No. 1:04-cv-03417, DKT # 122 (S.D.N.Y. April 29, 2009); Case No. 1:00-CV-1898, Dkt. # 2542 (S.D.N.Y. June 8, 2009); Case No. 1:00-CV-1898, Dkt. # 2552 (S.D.N.Y. June 15, 2009); Case No. 1:04-cv-03417, DKT # 328 (S.D.N.Y. June 26, 2009). In doing so, Plaintiffs expressly reserved the right to supplement and amend the exhibit lists. *See id.*

Plaintiffs hereby notify ExxonMobil that in addition to the exhibits listed in the Exhibit Lists and all supplements and amendments thereto; Plaintiffs will add the following Exhibits:

EXHIBIT	DATE	DESCRIPTION	BEG. BATES	END BATES
PL-5582	01/20/1999	PRESENTATION: MTBE RELEASE SOURCE IDENTIFICATION; EUSA/ER&E Environmental Technology Symposium, Clear Lake, TX. ER&E/EBSI Site Remediation Partnership. Presented by Jim Higinbotham and Al Liguori. January 20, 1999	XOM-BE06-001429	XOM-BE06-001449

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5583	10/11/2002	Correspondence from Fred Barilla of Groundwater & Environmental Services, Inc. (GES) to Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) enclosing the Subsurface Investigation Report for field work completed on May 2, 2002 at Former Exxon Service Station 3-5192, 105-02 Rockaway Blvd., Ozone Park, New York	2MDLCP0048 8298	2MDLCP0048 8355
PL-5584	04/28/2003	ConocoPhillips Fax enclosing ExxonMobil Refining & Supply correspondence from Melissa K. Winsor, Territory Manager, Global Remediation U.S> Retail Stations RE Notice of No Further Action: Former Exxon SS # 3-7068, 105-02 Rockaway Blvd., Ozone Park, New York	2MDLCP0048 8519	2MDLCP0048 8522
PL-5585	Various	New York State Department of Environmental Conservation (NYSDEC) Spill Reports -- 154-02 Horace Harding Expressway, Queens New York	XOM-NYC- REM-042173	XOM-NYC- REM-042184
PL-5586	02/23/2003	Correspondence from Seth Platt & Michael Casazza of Groundwater & Environmental Services, Inc. (GES) to Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) Requesting Inactivation of Spill nos. 97-04855 & 99-12790 related to Exxon Service Station (Former S/S #3-0016) 154-11 Horace Harding Boulevard, Flushing, New York	2MDLCP0048 7931	2MDLCP0048 8007
PL-5587	04/30/2003	Correspondence from Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) to Melissa Winsor of ExxonMobil Corporation RE Site Investigation Reports of July and October 2002 prepared by ATC Associates and Groundwater & Environmental Services, Inc. (GES) at 154-11 Horace Harding Boulevard, Flushing, New York	2MDLCP0048 8010	2MDLCP0048 8011

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5588	03/26/2004	Correspondence from John E. Wolf & Christine Camardella of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Subsurface Investigation Work Plan – Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-005326	XOM-NYC-REM-005335
PL-5589	06/30/2004	Correspondence from John E. Wolf & Christine Camardella of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Revised Subsurface Investigation Work Plan Addendum – Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-005336	XOM-NYC-REM-005345
PL-5590	06/14/2004	Correspondence from John E. Wolf & Victoria Creteur of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Sensitive Receptor Survey Addendum – Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-05365	XOM-NYC-REM-005398
PL-5591	06/21/2004	Correspondence from John E. Wolf & Christine Camardella of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Site Status Update Report -- Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-005399	XOM-NYC-REM-005455
PL-5592	10/24/2003	Correspondence from Brian Hoashi of Groundwater & Environmental Services, Inc. (GES) to Jim Drumm of New York State Department of Environmental Conservation (NYSDEC) enclosing the Subsurface Investigation Report & Site Status Update Report prepared by GES for Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-005456	XOM-NYC-REM-005492

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5593	07/15/2004	Correspondence from John E. Wolf & Christine Camardella of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Revised Site Status Update Report – Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-005862	XOM-NYC-REM-005912
PL-5594	06/30/2004	Correspondence from James Quinn of New York State Department of Environmental Conservation (NYSDEC) to Melissa Winsor of ExxonMobil Corporation RE Site # S241067, Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004236	XOM-NYC-REM-004240
PL-5595	10/10/2000	Correspondence from Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) to ExxonMobil Corporation RE Spill Investigation Nos. 8602656, 9006576, 9610302, 0007503 Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004241	XOM-NYC-REM-004247
PL-5596	10/10/2000	Correspondence from Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) to ExxonMobil Corporation RE Spill Investigation Nos. 8602656, 9006576, 9610302, 0007503 Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004248	XOM-NYC-REM-004254
PL-5597	09/10/2002	Correspondence from Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) to Paul Betencourt ExxonMobil Corporation RE Petroleum Bulk Storage (PBS) Program Site Inspection, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004267	XOM-NYC-REM-004282

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5598	10/02/2000	Correspondence from Anthony Sigona of New York State Department of Environmental Conservation (NYSDEC) to Michael Meola of ExxonMobil Corporation RE Spill Investigation Nos. 8602656, 9006576, 9610302, 0007503 Mobil Service Station, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004306	XOM-NYC-REM-004309
PL-5599	06/03/2003	Correspondence from Michael T. Redmond of Groundwater & Environmental Services, Inc. (GES) to Anthony Sigona of NYSDEC, Region 2 RE Proposal to Install Three Montoring Wells, Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004402	XOM-NYC-REM-004405
PL-5600	06/14/2004	Correspondence from John E. Wolf & Victoria Creteur of Geologic Services Corporation (GSC) to James Drumm of NYSDEC, Region 2 RE Sensitive Receptor Survey (SRS) – Mobil Service Station No. 17-G9P, 164-05 Union Turnpike, Flushing, New York	XOM-NYC-REM-004629	XOM-NYC-REM-004660
PL-5601	02/24/2004	City of New York Department of Environmental Protection (NYCDEP) correspondence to Victoria Creteur of Geologic Services Corporation (GSC) RE Requested Municipal Well Information	XOM-NYC-REM-004663	XOM-NYC-REM-004665
PL-5602	06/15/2000	Email from Vikki DeVoe of Handex Environmental to Gail Helfrick cc Mike Meola, Albert Tinn, Carol Carp and Robert O'Donahue Subject: 17-G9P, flushing site meeting	XOM-NYC-REM-006641	XOM-NYC-REM-006642
PL-5603	1996	Handwritten Notes and NYCDEC Spill Report Form, Spill Number 9610302 -- 164-17 Union Turnpike, Queens, New York	XOM-NYC-REM-004211	XOM-NYC-REM-004214
PL-5604	12/03/2003	Printouts from New York State Department of Environmental Conservation Spill Incidents Database for 164-05 Union Turnpike, Queens, New York	XOM-NYC-REM-004255	XOM-NYC-REM-004266

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5605	various	NYCDEC Spill Report Forms, Spill Numbers 8602656 and 9008576 -- 164-17 Union Turnpike, Queens, New York	XOM-NYC-REM-004325	XOM-NYC-REM-004327
PL-5606	11/18/1996	NYCDEC Spill Report Form, Spill Number 9610302 -- 164-17 Union Turnpike, Queens, New York	XOM-NYC-REM-006682	
PL-5607	09/16/2004	NYSDEC Correspondence from David Harrington to Melissa Winsor of ExxonMobil Corporation RE NYSDEC Spill # 95-12565, 177-90 South Conduit Avenue, Springfield Gardens	XOM-NYC-REM-008670	XOM-NYC-REM-008671
PL-5608	11/08/2001	NYSDEC Correspondence from Louise Munster to Krista Morisen of GES RE FOIL Request – Mobil Service Station, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-008675	XOM-NYC-REM-008680
PL-5609	9/16/2004	NYSDEC Correspondence from David Harrington to Melissa Winsor of ExxonMobil Corporation RE NYSDEC Spill # 95-12565, 177-90 South Conduit Avenue, Springfield Gardens with attachments	XOM-NYC-REM-008736	XOM-NYC-REM-008743
PL-5610	10/29/2004	Correspondence from David Shin and Brendan Mooney of Geologic Services Corporation (GSC) to NYSDEC attaching results RE Air Sampling Activities/Monitoring at Herbert G. Birch School – Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-009347	
PL-5611	07/27/2004	Correspondence from David Shin and Jennifer Martin of Geologic Services Corporation (GSC) to David Harrington of NYSDEC RE Site Status Update Report – Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-009491	

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5612	01/16/2003	Correspondence from Brian Hoashi of Groundwater & Environmental Services (GES) to Anthony Sigona of NYSDEC enclosing Quarterly Monitoring Report RE NYSDEC #88-07862, 93-12565, 01-10430 and 02-050068 -- Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-009995	
PL-5613	12/03/2002	Subsurface Investigation Report, Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens Spill #88-07862, 93-12565, 01-10430 and 02-050068	XOM-NYC-REM-011455	
PL-5614	03/26/2004	Correspondence from Dennis Shin and Brendan Mooney of Geologic Services Corporation (GSC) to NYSDEC and NYSDOH attaching results from February 2004 Air Sampling Activities/Monitoring at Herbert G. Birch School – Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-011620	
PL-5615	09/29/2004	Correspondence from Dennis Shin and Jennifer Martin of Geologic Services Corporation (GSC) to David Harrington of NYSDEC attaching Site Status Update Report – Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-013019	
PL-5616	11/14/2001	Site Access Agreement between Christ the King roman Catholic Church and ExxonMobil Corporation to conduct soil and groundwater sampling	XOM-NYC-REM-014335	XOM-NYC-REM-014339
PL-5617	12/24/2002	Correspondence from Brian Hoashi of Groundwater & Environmental Services (GES) to Achebe Hope of ExxonMobil RE Miller Environmental Group invoices for Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-016132	

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5618	01/16/2003	Correspondence from Anthony Sigona of NYSDEC to Achebe Hope of ExxonMobil RE Spill Investigation Nos. 8807862, 9312565, 0110430 & 0205068 -- Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-016136	XOM-NYC-REM-016139
PL-5619	10/30/2001	Correspondence from Anthony Sigona of NYSDEC to Achebe Hope of ExxonMobil RE Spill Investigation Nos. 9312565 -- Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens	XOM-NYC-REM-016284	XOM-NYC-REM-016291
PL-5620	10/11/2007	Correspondence from Dennis Shin and Pamela Villarreal of Kleinfelder East to Robert Filkins of NYSDEC RE Temporary System Shutdown Request -- Mobil Service Station No. 17-G90, 177-90 South Conduit Avenue, Queens, New York	XOM-NYC-SUPP-SRF-0016539	XOM-NYC-SUPP-SRF-0016696
PL-5621	03/09/2001	Handwritten Notes: Daily log, Job Number : 05-00033, Mobil 17-GVE; 113-21 Merrick Boulevard, Queens. Prepared by Ray Rivera	XOM-NYC-REM-029012	XOM-NYC-REM-029016
PL-5622	02/03/2004	Printouts from New York State Department of Environmental Conservation Spill Incidents Database for 113-21 Merrick Boulevard, Queens, New York	XOM-NYC-REM-029429	XOM-NYC-REM-029431
PL-5623	01/02/2004	Site Summary and Work Scope; Mobil Service Station No. 17-GVE 113-21 Merrick Boulevard, Jamaica Queens, New York. Prepared by Geologic Services Corporation (GSC)	XOM-NYC-REM-029572	
PL-5624	03/22/2002	Reprint of Correspondence from Howard G. Dornier of Groundwater & Environmental Services, Inc. (GES) to Anthony Sigona of NYSDEC -- Region 2 RE Mobil Service Station No. 17-GVE 113-21 Merrick Boulevard, Jamaica Queens, New York. Includes handwritten note: "Reprinted from Electronic Copy -- Orig. not Found."	XOM-NYC-REM-029575	

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5625	Undated	Reprint of Subsurface Investigation Report by of Groundwater & Environmental Services, Inc. (GES) RE Mobil Service Station No. 17-GVE , 113-21 Merrick Boulevard, Jamaica Queens, New York. Includes handwritten note: "Reprinted from Electronic Copy – Orig. not Found (only page 1 not found)"	XOM-NYC-REM-029577	
PL-5626	07/24/2001	Product Piping upgrade and UST Closure Report Report by of Groundwater & Environmental Services, Inc. (GES) RE Mobil Service Station No. 17-GVE , 113-21 Merrick Boulevard, Jamaica Queens, New York.	XOM-NYC-REM-0029712	
PL-5627	05/31/2001	ExxonMobil Global Remediation PURCHASE ORDER REQUEST for work to be conducted by vendor GES at Location ID 17-GVE, 113-21 Merrick Boulevard, Jamaica Queens, New York	XOM-NYC-SUPP-SRF-020044	XOM-NYC-SUPP-SRF-020045
PL-5628	09/05/2008	Correspondence from Richard Caputo and Jennifer Martin to Michael Haggerty of NYSDEC attaching Site Status Update Report for Mobil Service Station No. 17-GVE , 113-21 Merrick Boulevard, Jamaica Queens, New York. Prepared by Kleinfelder East, Inc.	XOM-NYC-SUPP-SRF-020574	XOM-NYC-SUPP-SRF-020604
PL-5629	07/07/2004	Subsurface Investigation Report – Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York. Prepared by Geologic Services Corporation (GSC) for ExxonMobil Corporation	XOM-NYC-REM-038479	
PL-5630	03/04/2004	Correspondence from John Wolf and Christine Camardella of Geologic Services Corporation (GSC) to Jennifer Rommel of NYSDEC RE Investigation - Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York	XOM-NYC-REM-038294	
PL-5631	April 2004	Chain of Custody Record and Analytical Report(s) for Monitoring Well sampling performed by Test America at Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York	XOM-NYC-REM-038370	

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5632	08/16/2004	Correspondence from John Wolf and Jennifer Martin of Geologic Services Corporation (GSC) to Jennifer Rommel of NYSDEC attaching Site Status Update Report, Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York	XOM-NYC-REM-038412	
PL-5633	07/01/2004	Correspondence from John Wolf and Victoria Creteur of Geologic Services Corporation (GSC) to Jennifer Rommel of NYSDEC attaching Sensitive Receptor Survey, Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York	XOM-NYC-REM-038437	
PL-5634	07/07/2004	Correspondence from John Wolf and Christine Camardella of Geologic Services Corporation (GSC) to Jennifer Rommel of NYSDEC RE Subsurface Investigation Report, Mobil Service Station No. 17-HBA, 211-60 Hillside Avenue, Hollis, New York	XOM-NYC-REM-038475	
PL-5635	09/01/2004	Printouts from New York State Department of Environmental Conservation Spill Incidents Database for 211-60 Hillside Avenue, Queens Village, Queens, New York	XOM-NYC-REM-038561	
PL-5636	Undated	Printout from New York State Department of Environmental Conservation Spill Incidents Database: Spill Number 0212002 at 211-60 Hillside Avenue, Queens Village, Queens, New York	XOM-NYC-REM-038582	
PL-5637	11/30/1999	Federal Trade Commission Press Release "Exxon/mobil Agree to Largest Divestiture Ever in Order to Settle Antitrust Charges; Settlement Requires Extensive Restructuring and Prevents Merger of Significant Competing U.S. Assets" http://www.ftc.gov/opa/1999/11/exxonmobil.shtm	NYC-BURKE-N-00009850	NYC-BURKE-N-00009854

EXHIBIT	DATE	DECSRIPTION	BEG. BATES	END BATES
PL-5638	08/04/2000	Ikon Office Solutions Document Services Box Label: Client/Firm: Exxon, Box 40 of 41. [FRED ANDERSON DEPOSITION EXHIBIT 15]	N/A	N/A

Dated: San Francisco, California
December 1, 2009

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
(212) 788-1578

/s/ NICHOLAS G. CAMPINS
VICTOR M. SHER (*pro hac vice*)
TODD E. ROBINS (*pro hac vice*)
NICHOLAS G. CAMPINS (*pro hac vice*)
MARNIE E. RIDDLE (*pro hac vice*)

SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
(415) 348-8300

Attorneys for Plaintiffs